

## STATE PROPERTIES COMMITTEE

Tuesday, November 23, 2004

The meeting of the State Properties Committee was called to order at 10:07 A.M. by Chairman Jerome F. Williams. Other members present were, Genevieve Allaire Johnson, Esquire, representing the Department of Attorney General, Mr. Robert Griffith, representing the Department of Administration, and Mr. Thomas Barry. Also present were, Mr. John Ryan, from the Department of Administration; Ms. Maureen McMahon, and Messrs. Daniel Clarke, Rick Kalunian and Tony DeQuattro, from the Department of Transportation; Jacqueline Kelley, Esquire and Mr. Raymond Carroll, from the Department of Human Services; Mr. Richard DeFino, from the Department of Corrections; and, Ms. Grace Smith, from the Department of Environmental Management.

The Minutes of the meeting held on November 9, 2004 were approved.

1. OLD BUSINESS
2. NEW BUSINESS – Miscellaneous - The next meeting of the State Properties Committee is scheduled to be held on Tuesday, December 7, 2004.

The Chair, Mr. Williams wished everyone a Happy Thanksgiving.

The Chair advised the Committee that a letter had been received from the Judiciary with a formal request to be placed on the next available State Properties Committee meeting for consideration of two parking space leases for Judiciary employee parking and juror parking. This matter will be placed on the State Properties Committee meeting Agenda of December 7, 2004.

ITEM A - DEPARTMENT OF CORRECTIONS – Adult Probation and Parole –

A request was made for approval and signatures on Lease Amendment for office space at 249 Roosevelt Avenue, Pawtucket.

This Lease Amendment addresses a change of hours to accommodate the Safe Streets Program the Department is operating. There are no other changes of the existing Lease.

A Motion was made by Mr. Robert Griffith and seconded by Mr. Thomas Barry to approve the request of the Department for approval and signatures on Lease Amendment for office space at 249 Roosevelt Avenue, Pawtucket.

Passed Unanimously

ITEM B – DEPARTMENT OF ADMINISTRATION – A request was made by the Department for approval of the use of the Department of Transportation parking lot on December 31, 2004 by Bright Night Providence for “Make This New Years Eve A Bright Night”.

This item was initially requested to be placed on the December 7 agenda and was placed on the November 23 agenda in error. The item will be placed on the December 7, 2004 agenda of the State Properties Committee.

Passed Unanimously

ITEM C –DEPARTMENT OF HUMAN SERVICES – Disability Determination Services – A request was made by the Department for approval and signatures on Lease with Emanon Associates LP, for office space at 40 Fountain Street, (Gardner Building) Providence.

The Department requested 3,485 square feet of additional space for the Disability Determination Services at 40 Fountain Street, Providence. This space is being added to

the current Lease under the same terms and conditions except that the cost will be one half of the rate on the current Lease. The lease request is for 3,485 square feet of additional space at the rate of \$7.85 per square foot. The Department currently leases 12,539 square feet of space at 40 Fountain Street at the rate of \$15.70 per square foot. The existing lease is for ten (10) years for the period May 1, 2001 through May 1, 2011. Conceptual approval was granted on October 12, 2004. The funding will be 100% Federal dollars provided by the Social Security Administration

A Motion was made by Mr. Thomas Barry and seconded by Ms. Genevieve Allaire Johnson and Mr. Robert Griffith to approve the request of the Department for approval and signatures on Lease with Emanon Associates LP, for office space at 40 Fountain Street, (Gardner Building) Providence.

Passed Unanimously

ITEM D – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for conceptual approval of an Option to Renew in connection with HMM Inc.,’s lease of Lot 201 and Pier A in the Port of Galilee, Narragansett.

HMM Inc., operates as Champlin’s Seafood for the purpose of operating a wholesale and retail fish market and restaurant. HMM has notified the Department of its intent to exercise its operation to renew its Lease dated March 13, 1990. The current term expires November 30, 2004. The option will renew the Lease for a five-year period commencing December 1, 2004 and terminating November 30, 2009. The annual rent for the new option period will be determined by a new appraisal of this parcel.

Ms. Grace Smith, from the Department gave an update of the new appraisals being made at the Port of Galilee. The Department of Administration put the appraisal

out to bid twice, with no response. Therefore, purchasing authorized the Department to hire an appraiser based on a sole source award. The Department has meet with the appraiser and it is anticipated that a final appraisal will be made within a week or two. The Department was requesting conceptual approval of this Option to Renew and will return when the new appraisal has been made.

A Motion was made by Mr. Griffith and seconded by Mr. Barry to approve the request of the Department for conceptual approval of an Option to Renew in connection with HMM Inc.,’s lease of Lot 201 and Pier A in the Port of Galilee, Narragansett. Inherent in the Motion is that approval is made subject to the new appraisal being made.

Passed Unanimously

ITEM E – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for approval and signatures on Tripartite Agreement with Interstate Navigation Co., Inc. and The Washington Trust Company in connection with Lease for Lots 217, 219, 219A and 220 and portions of Piers 3, O and Q in the Port of Galilee, Narragansett.

This in connection with Indentures of Lease between Interstate Navigation and the Department dated January 1, 1984, January 1, 1997 and September 9, 1997 for Lots 217, 219, 219A and 220 and portions of Piers 3, O and Q in the Port of Galilee. As part of the refinancing from the Washington Trust Company, Interstate Navigation is required to grant a conditional assignment of the Leases as additional security for the loan. Under the agreement, the Department consents to the conditional assignment.

A Motion was made by Mr. Griffith and seconded by Mr. Barry to approve the request of the Department for for approval and signatures on Tripartite Agreement with Interstate Navigation Co., Inc. and The Washington Trust Company in connection with

Lease for Lots 217, 219, 219A and 220 and portions of Piers 3, O and Q in the Port of Galilee, Narragansett

Passed Unanimously

ITEM F – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT – A request was made by the Department for approval and signatures on Conservation Easement with the Westerly Land Trust over land located on the northerly side of Shore Road and southerly side of Tom Harvey Road in Westerly.

At the request of the Department, this Item was deferred.

ITEM G – DEPARTMENT OF TRANSPORTATION –A request was made by the Department for conceptual approval to market and convey property on Oakridge Court, Route 1 By-Pass, Warwick.

This is regarding property that the Department purchased on February 9, 1968 in Warwick by virtue of Condemnation Plat 1597 for the realignment of the Route 1/Post Road By-Pass. The Department received conceptual approval in 2000 for public auction of this property. Subsequently, upon further review, it was learned that the parcel has only 47 linear feet of frontage, insufficient for zoning and cannot be considered a stand alone buildable parcel and only marketable to the abutters. The Department requested conceptual approval to market and convey 19,500 square feet of land to one of the two abutting owners.

The Chair, Mr. Williams noted that the surplus property process must be completed and the Department would need to go back to the former owners since this was a condemnation. The Department acknowledged that must be done.

A Motion was made by Mr. Barry and seconded by Mr. Griffith to approve the request of the Department for conceptual approval to market and convey property on Oakridge Court, Route 1 By-Pass, Warwick. Inherent in the Motion is the approval is subject to the Department contacting the former owners.

Passed Unanimously

Ms. Maureen McMahon, from the Department of Transportation gave an update from the State Properties Committee meeting of November 9, 2004 regarding Plat 2635. The Chair had asked that Ms. McMahon return to provide additional information. This project involves Dean Street, Cahir Street and Stewart Street improvements. She discussed some of the changes that had been made from the time of conceptual approval on July 13, 2004. One change was regarding an acquisition from 56 Associates. This was an arms length transaction. All other changes were in name only according to Ms. McMahon. Acquisition by the Department was at \$22.00 per square foot which was less than the amount paid previously in a private sale.

ITEM H – DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval and signatures on First Amendment to Deed of Easement in conjunction with the Blackstone River Bikeway, Plat 2489, Woonsocket, Lincoln, North Smithfield, and Cumberland.

In June of 2000, the Department acquired permanent and temporary easements for Segments 6 and 7 of the Blackstone Riverway Bikeway from the Providence and Worcester Railroad Company. There was a delay in obtaining environmental permits which resulted in the Department's inability to advertise Segment 7 for construction until the Spring of 2005. The Deed of Easement is amended by deleting "a Temporary easement for a two year period, beginning on October 1, 2001 and ending on October 1,

2003” and replacing the language with “A Temporary Easement for a two year period, beginning on May 1, 2005 and ending on April 30, 2007”. P & W waives any additional claims.

A Motion was made by Mr. Barry and seconded by Mr. Griffith to approve the request of the Department for conceptual approval to market and convey property on Oakridge Court, Route 1 By-Pass, Warwick.

The Department is still working on environmental permits.

Passed Unanimously

The Committee moves to go into Executive Session, pursuant to Rhode Island General Law 42-46-4 (a)(5) for the specific purpose of discussion or consideration related to the acquisition or lease of real property for public purposes, or of the disposition of publicly held property wherein advanced public information would be detrimental to the interest of the public.

The property being considered is located in Providence, Barrington and Warren.

A Motion was made to go into Executive Session by Mr. Griffith and seconded by Ms. Genevieve Allaire Johnson. A roll call vote was made. Ms. Allaire Johnson voted “Aye”, Mr. Griffith voted “Aye”, Mr. Barry voted “Aye”, and the Chair voted “Aye”.

A Motion was made by Ms. Allaire Johnson and seconded by Mr. Griffith to close the Executive Session and return to the regular meeting.

The regular session of the State Properties Committee re-opened with the following requests.

DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval of Condemnation Plat 2392B for the replacement of the Warren Bridge, Warren and Barrington. This Bridge is over the Palmer River connecting the Towns of

Barrington and Warren. Five (5) parcels will be affected by the construction of the project and all five parcels are affected by temporary easements for a period of two (2) years totaling 26,578 square feet. Total estimated cost for acquisition of easements for this project is \$13,527.00, which is 80% Federally funded. A new spreadsheet was distributed indicating a change in the Unit Price of Parcel 4 owned by Narragansett Electric.

A Motion was made by Mr. Griffith and seconded by Mr. Barry to approve the request of the Department for approval of Condemnation Plat 2392B for the replacement of the Warren Bridge, Warren and Barrington.

Passed Unanimously

DEPARTMENT OF TRANSPORTATION – A request was made by the Department for approval of Condemnation Plat 2644, Parcel 1A, and 1B, for the I-195 Relocation Project, Providence. The Department requested authorization to acquire a portion of land with a four (4) year temporary construction easement in conjunction with Contract 8 of the Relocated Route 195 Project. The area to be acquired is 195 square feet. The easement area consists of 311 square feet. Total amount for acquisition and easements is \$7,385.00, 90% of which is Federally funded.

A Motion was made by Ms. Allaire Johnson and seconded by Mr. Griffith to approve the request of the Department for approval of Condemnation Plat 2644, Parcel 1A, and 1B, for the I-195 Relocation Project, Providence.

Passed Unanimously

The Chair noted that a request was made by the Department of Transportation for an item to be placed on the Agenda of the State Properties Committee relative to One

Franklin Square, Providence. This matter will be placed on the State Properties Committee Agenda of December 7, 2004.

All matters presented to the Committee were approved by all present.

There being no further business to come before the Committee, the meeting adjourned at 10:45 A.M.

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Anne L. Lanni, Executive Secretary